

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MICHAEL WALKER,)	
)	
Petitioner,)	No. C 10-0130 CRB (PR)
)	
vs.)	ORDER OF TRANSFER
)	
R. K. WONG, Warden,)	
)	
Respondent.)	
_____)	

Petitioner seeks federal habeas review of a conviction and sentence from the Superior Court of the State of California in and for the County of Los Angeles, which lies within the venue of the Central District of California, Western Division. See 28 U.S.C. § 84(c)(2). Petitioner is incarcerated at San Quentin State Prison, County of Marin, which lies within the venue of this court. See id. § 84(a).

Venue is proper in a habeas action in either the district of confinement or the district of conviction, see id. § 2241(d); however, petitions challenging a conviction preferably are heard in the district of conviction. See Habeas L.R. 2254-3(a); Dannenberg v. Ingle, 831 F. Supp. 767, 767 (N.D. Cal. 1993).

1 Because the County of Los Angeles lies in the Central District of California,
2 Western Division, the court ORDERS that pursuant to 28 U.S.C. § 1404(a) and Habeas
3 Local Rule 2254-3(b), and in the interest of justice, this petition be TRANSFERRED to
4 the United States District Court for the Central District of California, Western Division.

5 The clerk shall transfer this matter and terminate all pending motions as moot.

6 SO ORDERED.

7 DATED: Jan. 14, 2010

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CHARLES R. BREYER
United States District Judge